

LIBER 4 PAGE 520

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 77-108 (as amended)

Introduced by Councilman Roland Shumate

Legislative Day No. 77-31 Date: October 11, 1977

AN EMERGENCY ACT to approve and ratify the form of the proposed revised "Contract To Provide Water Supply and Wastewater Treatment Systems and Services To The Joppatowne Service District of Harford County, Maryland" between Harford County, Maryland and the Maryland Environmental Service; to authorize the execution of said Contract by the County Executive and the President of the County Council; TO APPROVE THE RESOLUTION OF THE MARYLAND ENVIRONMENTAL SERVICE ADOPTED ON MAY 25, 1977; to approve the Resolution of the Maryland Environmental Service adopted on October 11, 1977, AS AMENDED BY RESOLUTION OF THE MARYLAND ENVIRONMENTAL SERVICE ADOPTED ON NOVEMBER 8, 1977; and to approve the refunding and permanent financing authorized by said Resolution, AS AMENDED.

By the Council, October 11, 1977

Introduced, read first time, ordered posted and public hearing scheduled

on: November 8, 1977

at: 7:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on November 8, 1977 and concluded on November 8, 1977.

Angela Markowski, Secretary

BILL NO. 77-108 (as amended)

1 WHEREAS, on April 24, 1974, Harford County, Maryland  
2 entered into the contract with the Maryland Environmental Ser-  
3 vice designated "Contract to Provide Water Supply and Wastewater  
4 Purification Systems and Services to the Joppatowne Service  
5 District of Harford County, Maryland," which contract was  
6 approved and ratified by Resolution of the County Council of  
7 Harford County on May 7, 1974; and

8 WHEREAS, pursuant to and in accordance with the pro-  
9 visions of the said contract dated April 24, 1974, Harford  
10 County, the Maryland Environmental Service and the Joppatowne  
11 Utilities Corporation entered into an agreement dated May 20,  
12 1976, under which agreement the Maryland Environmental Service  
13 agreed to purchase from the Joppatowne Utilities Corporation  
14 the water supply and wastewater treatment facilities and  
15 appurtenances owned by the Joppatowne Utilities Corporation,  
16 hereinafter referred to as the "Project"; and

17 WHEREAS, Bill No. 75-101 enacted on January 20, 1976  
18 by the County Council of Harford County approved and authorized  
19 the execution of the said agreement dated May 20, 1976; and

20 WHEREAS, the Maryland Environmental Service adopted  
21 a Resolution on June 11, 1976, approving the issuance and sale  
22 of its Joppatowne Service District Bond Anticipation Note in the  
23 principal amount of \$3,205,000 in order to temporarily finance  
24 the acquisition of the Project from the Joppatowne Utilities  
25 Corporation pending the issuance and sale of revenue bonds in  
26 an amount sufficient to pay the principal of and accrued and  
27 unpaid interest on said Note and also approving the "Contract to  
28 Provide Water Supply and Wastewater Treatment Systems and  
29 Services to the Joppatowne Service District of Harford County,  
30 Maryland" to be dated July 1, 1976; and

31 WHEREAS, by Resolution adopted on June 15, 1976,  
32 the County Council of Harford County (1) approved and authorized

1 the execution of the contract with the Maryland Environmental  
2 Service designated "Contract to Provide Water Supply and  
3 Wastewater Treatment Systems and Services to the Joppatowne  
4 Service District" to be dated July 1, 1976, and (2) approved  
5 the temporary financing authorized by the said Resolution  
6 adopted by the Maryland Environmental Service on June 11, 1976;  
7 and

8 WHEREAS, on July 1, 1976, Harford County entered  
9 into the contract with the Maryland Environmental Service  
10 designated "Contract to Provide Water Supply and Wastewater  
11 Treatment Systems and Services to the Joppatowne Service Dis-  
12 trict of Harford County, Maryland," superseding the said con-  
13 tract dated April 24, 1974; and

14 WHEREAS, on July 1, 1976, the Service delivered to  
15 Maryland National Bank, purchaser, its Maryland Environmental  
16 Service Joppatowne Service District Bond Anticipation Note in  
17 the principal amount of \$3,205,000, and from the proceeds of  
18 the sale thereof acquired the Project from the Joppatowne  
19 Utilities Corporation; and

20 WHEREAS, Harford County and the Maryland Environ-  
21 mental Service deem it to be in the best interest of the Project  
22 to revise, in certain respects, the agreement between the  
23 Maryland Environmental Service and the County dated July 1,  
24 1976; and

25 WHEREAS, THE MARYLAND ENVIRONMENTAL SERVICE ADOPTED  
26 A RESOLUTION ON MAY 25, 1977, AUTHORIZING AND PROVIDING FOR  
27 THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING  
28 A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING,  
29 IMPROVING AND/OR EXTENDING THE PROJECT; and

30 WHEREAS, the Maryland Environmental Service adopted  
31 a Resolution on October 11, 1977, approving the issuance and  
32 sale of its Joppatowne Service District Water and Sewer Refund-

1 ing and Improvement Revenue Bond, 1977 Series in the principal  
2 amount of \$3,212,500 in order to refund the said Note and  
3 permanently finance acquisition and improvement of the Project,  
4 and also approving the "Contract to Provide Water Supply and  
5 Wastewater Treatment Systems and Services to the Joppatowne  
6 Service District of Harford County, Maryland" to be dated  
7 as of the date of the said Bond; and

8 WHEREAS, THE MARYLAND ENVIRONMENTAL SERVICE ADOPTED  
9 A RESOLUTION ON NOVEMBER 8, 1977 AMENDING ITS RESOLUTION OF  
10 OCTOBER 11, 1977, IN ORDER TO CHANGE CERTAIN TERMS AND CONDI-  
11 TIONS PERTAINING TO THE SAID BOND AND TO CHANGE CERTAIN PRO-  
12 VISIONS OF THE SAID CONTRACT TO BE DATED AS OF THE DATE OF THE  
13 BOND; AND

14 WHEREAS, THE MARYLAND ENVIRONMENTAL SERVICE HAS  
15 DETERMINED TO ISSUE AND SELL THE SAID BOND IN JANUARY, 1978  
16 RATHER THAN IN DECEMBER, 1977, AS ORIGINALLY CONTEMPLATED; AND

17 WHEREAS, THE RESOLUTION ADOPTED BY THE SERVICE ON  
18 OCTOBER 11, 1977, AS AMENDED AND SUPPLEMENTED TO DATE, NOW  
19 AUTHORIZES AND PROVIDES FOR (AMONG OTHER THINGS) THE ISSUANCE  
20 AND SALE BY THE MARYLAND ENVIRONMENTAL SERVICE OF ITS JOPPA-  
21 TOWNE SERVICE DISTRICT WATER AND SEWER REFUNDING AND IMPROVE-  
22 MENT REVENUE BOND, 1978 SERIES IN THE PRINCIPAL AMOUNT OF  
23 \$3,212,500; AND

24 WHEREAS, the said Bill No. 75-101 enacted by the  
25 County Council of Harford County on January 20, 1976, provided  
26 that the Maryland Environmental Service should investigate and  
27 apply for any and/or all monies available for acquisition  
28 costs from the United States of America or any agency or in-  
29 strumentality thereof or from the State of Maryland, or from  
30 any agency or instrumentality thereof in lieu of proceeds to  
31 be derived from the issuance of notes, bonds or other obliga-  
32 tions; and

1 WHEREAS, the Maryland Environmental Service has ap-  
2 plied for loan assistance from the United States of America  
3 Farmers Home Administration; and

4 WHEREAS, Harford County and the Maryland Environ-  
5 mental Service deem it to be in the best interest of the Project  
6 for the Service to issue and sell to the Farmers Home Adminis-  
7 tration its Joppatowne Service District Water and Sewer Re-  
8 funding and Improvement Revenue Bond, 1977~~7~~8 Series in the  
9 principal amount of \$3,212,500; and

10 WHEREAS, the County deems it to be in the best  
11 interest of the County to approve the issuance and sale of said  
12 Bond by Maryland Environmental Service and also to approve the  
13 terms of the revised contract entitled "Contract to Provide  
14 Water Supply and Wastewater Treatment Systems and Services to  
15 the Joppatowne Service District of Harford County, Maryland"  
16 to be dated as of the date of the said Bond.

17 Section 1. Be It Enacted By The County Council of Harford  
18 County, Maryland, that the revised "Contract to Provide Water  
19 Supply and Wastewater Treatment Systems and Services to the  
20 Joppatowne Service District of Harford County, Maryland,"  
21 substantially in the form attached hereto and made a part  
22 hereof, be, and the same is hereby approved and ratified.

23 Section 2. And Be It Further Enacted, that the County Executive  
24 and President of the County Council are hereby authorized to  
25 execute said revised "Contract to Provide Water Supply and  
26 Wastewater Treatment Systems and Services to the Joppatowne  
27 Service District of Harford County, Maryland."

28 SECTION 3. AND BE IT FURTHER ENACTED, THAT THE RESOLUTION OF  
29 THE MARYLAND ENVIRONMENTAL SERVICE ADOPTED ON MAY 25, 1977, A  
30 COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF, BE, AND  
31 THE SAME IS HEREBY APPROVED.

32 Section 34. And Be It Further Enacted, that the Resolution of

1 the Maryland Environmental Service adopted on October 11, 1977  
2 (AS AMENDED AND SUPPLEMENTED TO DATE), a copy of which is at-  
3 tached hereto and made a part hereof, be, and the same is hereby  
4 approved. The foregoing approval shall apply to any resolution  
5 of the Maryland Environmental Service supplementing such Reso-  
6 lution which does not materially change the contents of such  
7 Resolution.

8 Section 45. And Be It Further Enacted, that the refunding and  
9 permanent financing authorized by said Resolution adopted ON  
10 October 11, 1977 (AS AMENDED AND SUPPLEMENTED TO DATE) by  
11 the Maryland Environmental Service, be, and the same is hereby  
12 approved in all respects.

13 Section 56. And Be It Further Enacted, that this Act is hereby  
14 declared to be an Emergency Act necessary to assure timely  
15 payment of the aforesaid Maryland Environmental Service  
16 Joppatowne Service District Bond Anticipation Note in the  
17 principal amount of \$3,205,000 ~~maturing on December 31, 1977~~  
18 from the proceeds of the aforesaid Joppatowne Service District  
19 Water and Sewer Refunding and Improvement Revenue Bond, 19778  
20 Series, in the principal amount of \$3,212,500 to be issued  
21 and sold to the Farmers Home Administration, and that this Act  
22 shall take effect on the date it becomes law.

23 EFFECTIVE: November 22, 1977  
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LIBER 4 PAGE 526

BY THE COUNCIL

Read the third time.

Passed LSD 77-35 (November 15, 1977) (with amendments)~~XXXXXXXXXXXXXXXXXXXX~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 16th day of November, 19 77  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

APPROVED:

BY THE EXECUTIVE

[Signature]  
County Executive

Date November 22, 1977

BY THE COUNCIL

This Bill, having been approved by the Executive and  
returned to the Council, becomes law on November 22, 1977.

Angela Markowski  
Angela Markowski, Council Secretary

EFFECTIVE DATE: November 22, 1977

Rec'd for record 12/16/77 at 2:30 P.M.  
Same day recorded & examined, per  
M. Douglas Chilcoat, Clerk